

Design Review Board
July 1, 2015

MINUTES OF A REGULAR MEETING OF THE DESIGN REVIEW BOARD OF THE TOWN OF CLARKDALE HELD ON WEDNESDAY, JULY 1, 2015, AT 6:30 P.M. IN THE MEN'S LOUNGE OF THE CLARK MEMORIAL CLUBHOUSE, 19 N. NINTH STREET, CLARKDALE, AZ.

A **Regular Meeting** of the Design Review Board of the Town of Clarkdale was held on Wednesday, July 1, 2015, at 6:30 p.m. in the Men's Lounge of the Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, AZ.

BOARD MEMBERS:

Chairperson	Robyn Prud'homme-Bauer	Present
Vice Chairperson	Marsha Foutz	Present
Board Members	Kerrie Snyder	Present
	Laura Jones	Present
	Mike Garvey	Excused

STAFF: Community Development
Community Development Director
GIS/Planner II

Jodie Filardo
Guss Espolt

Others in Attendance: None.

1. **AGENDA ITEM: CALL TO ORDER:** The Chairperson called the meeting to order at 6:30 p.m.
2. **AGENDA ITEM: ROLL CALL:** The GIS/Planner II called roll.
3. **AGENDA ITEM: PUBLIC COMMENT:** The public is invited to provide comments at this time on items that are not on this agenda. Action taken as a result of public comment will be limited to directing staff to study the matter, or scheduling the matter for further consideration and decision on a later agenda, as required by the Arizona Open Meeting Law. Each speaker is asked to limit comments to **FIVE minutes**. **There was no public comment.**
4. **AGENDA ITEM: MINUTES:** Consideration of the **Regular Meeting Minutes of June 3, 2015.** Board Member Foutz motioned to approve the **Regular Meeting Minutes of June 3, 2015.** Board Member Snyder seconded the motion. The motion passed unanimously.
5. **AGENDA ITEM: REPORTS:**

Chairperson and Member Report: None.

Staff Report Updates: The Community Development Department Director, Jodie Filardo shared the Town's new Wayfinding Sign Program with the Board Members.

Design Review Board
July 1, 2015

- The Chairperson asked Director Filardo why is this coming to the Board as a presentation and not as a Design Review Board application?
- Director Filardo stated this is coming as an information presentation just to inform and share with the Board Members as a courtesy.
- The Chairperson stated the arrows look good and the Clarkdale text should be script.
- The Vice Chairperson stated she did not like the white and the back of the sign should have Clarkdale on it.

6. NEW BUSINESS

AGENDA ITEM: DISCUSSION & POSSIBLE ACTION: DRB-091080 - A request to add a Sidewalk Café to the front of the business at 915 Main Street / Clarkdale Market, Parcel #400- 03-160.

Staff Report:

Background:

Mrs. Syliva Bourde has submitted an application to the Design Review Board for a sidewalk café for a business located at 915 Main St.

On March 14, 2012 Resolution #1388 "The Sidewalk Café Permit Code" was approved and created a new Section 4-16: General Provisions Sidewalk Café Permit in the Zoning Code Chapter 4. The purpose of the section is to promote general economic development, protect the public health, safety and general welfare and protect the atmosphere of the Town for the benefit of all businesses, citizens and visitors.

The proposed sidewalk café will consist of two 2'4" x 2'4" square metal tables and four matching metal chairs. One set of table and chairs will be placed within the 5' foot section from the store front window and one set of table and chairs will be placed near the street, leaving a 5' public right of way complying with the American Disabilities Act (ADA) 5' required clearance. All tables and chairs will be brought in at the close of business. No stanchions are submitted as the business will not be serving alcoholic beverages. (See attached photos.)

Zoning Code Chapter 4, Section 4-16 Sidewalk Café Permit.

- C. Permit required and fees: *An annual permit issued by the Town to operate a sidewalk cafe is required and may be issued only to a business that holds all current Federal, State and local licenses required to operate said business wishing to establish a sidewalk cafe on the public or private property directly adjacent to the business to be used by the general public. Applicant has been informed and will purchase a Sidewalk café permit before implementing further actions on premises.*

***Design Review Board
July 1, 2015***

- D. Furniture: *Use furniture and any other objects of such quality, design, materials, and workmanship that are approved or otherwise authorized by the Design Review Board, including but not limited to barriers, umbrellas, chairs, and tables made of fire retardant and/or pressure treated materials and that can be properly secured/weighted to withstand strong winds. Umbrellas, chairs or tables with advertising, signage or other writing on them are not allowed. Tables and chairs will be pulled in at closing and no advertising exists on proposed tables and chairs.*
- E. Signage: *One temporary, single-sided sign not exceeding six square feet in area, non-illuminated and displayed at a height not exceeding four feet, shall be permitted. The wording of such temporary sign shall be limited to the name of the business operating the sidewalk cafe and may state the items and prices of food offered for sale. The temporary sign shall be placed within the permitted area and shall not be placed on the adjacent building or on any permanent structure and shall be displayed only while the sidewalk cafe is open and operating. The following types of signs and decorations are prohibited: Signs painted or lettered on banner-type material; moving, fluttering and flapping pennants, flags, balloons and similar decorations. Applicant has an approved portable sign.*
- F. Hours: *Sidewalk cafes may operate during the regular business hours of the restaurant operating the sidewalk cafe, but no later than 11:00 p.m. No orders for food and/or beverages shall be taken after 10:00 p.m. for service at the sidewalk cafe. Applicant's business hours are 7:00 AM to 7:00 PM at this time.*
- G. Lighting: *Lighting shall be that from the existing business or street lamps. For safety reasons, no extension cords or free standing temporary lighting will be permitted. Battery operated lights attached to the umbrella poles so as to minimize impact on dark skies and adjacent properties will be permitted. Applicant has been informed of this portion of the code and has no intention of adding lighting at this time.*
- H. Other restrictions:
1. *No outdoor cooking of any type is permitted within the sidewalk cafe area.*
 2. *No amplified music is permitted within the sidewalk cafe area. Single acoustic instruments such as a guitar will be allowed so long as musicians have a contractual arrangement with the owner.*
 3. *Liquor Service. Each sidewalk cafe serving alcoholic beverages shall provide all services in compliance with relevant local, state, and federal laws, including but not limited to the compliance with State Liquor License requirements and the verification of the legal drinking*

Design Review Board

July 1, 2015

age of all patrons. No alcoholic beverages shall be removed from the sidewalk cafe in which they were served. Food service shall be available at all times commensurate with alcohol service. The operator of the sidewalk cafe shall comply with all barriers as may be required with an extension of premises of the relevant liquor license. The applicant does not hold a liquor license.

4. *Health Codes Compliance. Each sidewalk cafe shall ensure compliance with all applicable County Health Codes and obtain any necessary extension/expansion permits required by the County.*
5. *Trash removal. The operator of the sidewalk cafe shall ensure all trash is removed from the sidewalk cafe area at the close of operating hours daily.*
6. *Sidewalk Cafe Location Restrictions. The cafe shall not block or restrict the sidewalk to less than applicable Americans with Disabilities Act (ADA) requirements or block the ingress/egress to any building. Also, no items shall be placed so as to block any doorway, driveway, crosswalk, or counter service window. Clearances should take into consideration nearest immovable object on the sidewalk.*
7. *Smoking. The availability of smoking areas shall be in compliance with applicable federal, state and local laws.*
8. *Any outdoor heating devices need Fire District and Building Official review and approval. The applicant is aware of these other restrictions and shall comply.*

I. Indemnity & Liability: *As part of the permitting process set forth herein, any person or entity receiving a permit set forth herein shall execute an indemnity agreement indemnifying and releasing the Town of Clarkdale, its agents, employees and elected officials from any and all liability against any and all claims, actions and suits of any type whatsoever. The Town shall not be liable to any permittee or any license holder for any damage, loss, inconvenience, business interruption, demolition, loss of business. The applicant is aware of the Indemnity & Liability obligations and shall comply.*

Staff Recommendations

Having met all code requirements, staff recommends the Sidewalk Cafe as presented be approved with the following stipulations:

1. Annual Sidewalk Café fee must be paid.
2. Trash shall be removed from the area every day at the close of operating hours.
3. No outdoor cooking is allowed.
4. Any necessary permitted required by Yavapai County Health Department must be obtained.
5. No amplified music is permitted within the Sidewalk Café area.

Design Review Board
July 1, 2015

6. No additional lighting is permitted.
7. Any outdoor heating devices need prior approval by the Fire District and Town Building Official.
8. Proof of current liability insurance with a rider indemnifying the Town of Clarkdale from any liability related to the Sidewalk Café must be submitted prior to commencing operation of the Sidewalk Café.

Applicant Presentation:

The Staff went over the application information that was provided in their meeting packets.

Questions to Staff/Applicant:

- Board Members were concerned about people smoking in the Sidewalk Café area.
- A commercial cigarette receptacle for this area was discussed.

Discussion:

-Board Member Snyder stated she likes the chairs and they should work well for customers to sit and have coffee.

Action: Board Member Foutz motioned to approve DRB-091080 - A request to add a Sidewalk Café to the front of the business at 915 Main Street / Clarkdale Market, Parcel #400-03-160, as presented with the following Staff stipulations and adding item number nine:

1. Annual Sidewalk Café fee must be paid.
2. Trash shall be removed from the area every day at the close of operating hours.
3. No outdoor cooking is allowed.
4. Any necessary permitted required by Yavapai County Health Department must be obtained.
5. No amplified music is permitted within the Sidewalk Café area.
6. No additional lighting is permitted.
7. Any outdoor heating devices need prior approval by the Fire District and Town Building Official.
8. Proof of current liability insurance with a rider indemnifying the Town of Clarkdale from any liability related to the Sidewalk Café must be submitted prior to commencing operation of the Sidewalk Café.
9. Applicant is to provide a Commercial Cigarette Receptacle.

Board Member Jones seconded the motion. The motion passed unanimously.

7. AGENDA ITEM: FUTURE AGENDA ITEMS: None at this time.

***Design Review Board
July 1, 2015***

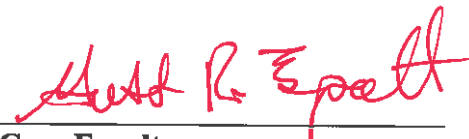
8. **AGENDA ITEM: ADJOURNMENT:** Board Member Snyder motioned to adjourn the meeting. Board Member Foutz seconded the motion. The motion passed unanimously. The meeting adjourned at 7:15 p.m.

APPROVED BY:

SUBMITTED BY:



**Chairperson
Robyn Prud'homme-Bauer**



**Guss Espolt
GIS/Planner II**